

5808. Adulteration of tomato pulp. U. S. * * * v. 177 Cans * * * of Tomato Pulp. Default decree of condemnation, forfeiture, and destruction. (F. & D. No. 8272. I. S. No. 1465-m. S. No. E-851.)

On June 13, 1917, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 177 cans, each containing 5 gallons of tomato pulp, remaining unsold in the original unbroken packages at New York, N. Y., alleging that the article had been shipped on or about May 17, 1917, by Potts & Kaufmann, Inc., Baltimore, Md., and transported from the State of Maryland into the State of New York, and charging adulteration in violation of the Food and Drugs Act.

Adulteration of the article was alleged in substance in the libel for the reason that it consisted in particular, wholly or in part, of a decomposed vegetable product.

On July 5, 1917, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product should be destroyed by the United States marshal.

CARL VROOMAN, *Acting Secretary of Agriculture.*